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REMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the Office Action. Claim 1, 9, 17 and 25 are amended and now incorporate the subject matter previously presented in claims 3, 11, 19 and 26, respectively. Claims 3, 11, 19 and 26 are cancelled. The dependencies of claims 4, 12, 20 and 27 have been changed. Claims 30-44 are cancelled. Applicant respectfully requests reconsideration of this application.

The only rejections applied against the subject matter now presented in Applicant's independent claims were rejections under 35 U.S.C. §103 based upon a proposed combination of the 3GPP reference with the *Ravishankar, et al.* reference. Claims 3, 11 and 19 were rejected over a proposed combination of the 3GPP reference, the *Jiang* reference and the *Ravishankar, et al.* reference. Claims 26, 27 and 29 were rejected over a proposed combination of the 3GPP reference with the *Ravishankar, et al.* reference. The subject matter of those claims now appears in the independent claims as noted above and as can be appreciated from the amendments to the claims.

Applicant respectfully submits that there is no *prima facie* case of obviousness because the proposed combination of the 3GPP reference and the *Ravishankar, et al.* reference cannot be made. When there is no benefit to making a proposed combination, there is no motivation for making that combination and no *prima facie* case of obviousness. In this instance, the Examiner proposes to add a final block indicator field from the *Ravishankar, et al.* reference to the 3GPP reference. There would be no benefit to adding that because the 3GPP reference already includes a "no more data" super-field, which is used to indicate an end of data. As indicated on page 26, any data after this super-field will be regarded as padding and shall be neglected. In other words,

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the 3GPP reference utilizes a no more data super-field as an indicator of an end of data within a PDU (e.g., a status PDU).

Because the 3GPP reference has a no more data super-field in a PDU, there is no benefit to adding a final block indicator field to a header because an indication that there is no more data is already provided within one of the PDUs of the 3GPP reference. In other words, adding a final block indicator from the *Ravishankar, et al.* reference to the 3GPP reference will not provide any benefit because, at best, it will be a redundant feature. Therefore, there is no benefit to making the proposed combination and there is no *prima facie* case of obviousness.

All other rejections are now moot and because there is no *prima facie* case of obviousness against the subject matter within Applicant's independent claims, all claims are allowable.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a telephone conference will facilitate moving this case forward toward issue, Applicant's representative will be happy to discuss any issues regarding this application and can be contacted at the telephone number indicated below.

Respectfully submitted,

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Dated: October 12, 2006

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CERTIFICATE OF FACSIMILE

I hereby certify that this Amendment relative to Application Serial No. 09/893,363, is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on October 12, 2006.

Theresa M. Palmateer

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